

SENATE BILL NO. 456

BY SENATORS AMEDEE AND BROWN

AN ACT

To enact R.S. 15:1098.8, relative to juvenile detention centers; to provide for the creation of a multi-jurisdictional board of commissioners to support the operation of a juvenile detention facility; to provide the purpose and boundaries of the district; to provide for the governance of the district; to provide for the duties and powers of the district; to provide for special costs; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:1098.8 is hereby enacted to read as follows:

§1098.8. Multi-jurisdictional board; creation; jurisdiction

A.(1) Notwithstanding any other provisions of law to the contrary, for purposes of supporting the operation of a juvenile detention facility, a multi-jurisdictional board of commissioners is hereby established with a territorial jurisdiction throughout the parishes having the following populations: in excess of one hundred-seven thousand but not more than one hundred-seven thousand three hundred; in excess of twenty-three thousand three hundred but not more than twenty-three thousand five hundred; in excess of thirty-three thousand but not more than thirty-three thousand five hundred; in excess of fifty-two thousand five hundred but not more than fifty-three thousand; in excess of twenty-two thousand but not more than twenty-two thousand two hundred

1 fifty; in excess of forty-five thousand seven hundred fifty but not more than
2 forty-six thousand; in excess of twenty-two thousand seven hundred seventy-five
3 but not more than twenty-three thousand; and in excess of twenty-three
4 thousand five hundred but not more than twenty-four thousand, based on the
5 latest federal decennial census which shall control, administer and manage the
6 affairs of the district.

7 (2) The parishes included in Paragraph (1) of this Subsection shall form
8 a district which shall be a political subdivision of the state. The boundaries of
9 the district shall be the boundaries of the parishes.

10 B. Governance. (1) The board of commissioners, shall be qualified
11 electors domiciled and residing in the district. They shall be appointed for terms
12 of four years, as follows:

13 (a) Three commissioners shall be appointed by the judges exercising
14 juvenile jurisdiction within the participating parish areas.

15 (b) Four commissioners shall be appointed by the sheriffs of the
16 participating parishes and the chiefs of police of municipalities within the
17 participating parish areas.

18 (c) One commissioner shall be appointed by the governing authority of
19 each of the participating parishes.

20 (d) One commissioner shall be appointed by the district attorneys with
21 jurisdiction in the participating parishes.

22 (e) One commissioner shall be appointed by the deputy secretary of the
23 office of juvenile justice of the Department of Public Safety and Corrections.

24 (2) The members of the board of commissioners shall serve without
25 salary or per diem but the board may authorize a reasonable travel allowance
26 for its members in the performance of their official duties.

27 (3) The board of commissioners shall elect a president, a secretary, and
28 a treasurer, whose duties in addition to those provided by this Subpart shall be
29 established by the board. If the board so decides, one commissioner may serve
30 as both secretary and treasurer, but in any event the treasurer shall furnish

1 bond in an amount and in accordance with terms and conditions fixed by the
2 board. The board may also elect an executive board, composed of not more than
3 seven members, and establish its duties and responsibilities.

4 (4) The board shall fix a time and place for the holding of its regular
5 meetings. Additional regular or special meetings may be held upon the call of
6 the president or of three of the commissioners. All meetings of the board shall
7 be held at the domicile of the board and shall be governed by the provisions of
8 R.S. 42:11 et seq. The board shall hold at least one regular meeting in each
9 calendar month; however, the board may meet less frequently but not less than
10 once each calendar quarter if it establishes an executive board and requires it
11 to hold regular meetings at least once in each calendar month.

12 (5) A majority of the current members of the board shall constitute a
13 quorum. A quorum shall be required to transact business and all actions and
14 resolutions of the board must be approved by a majority of the quorum present.

15 (6) The board of commissioners shall be domiciled in the parish having
16 a population in excess of twenty-two thousand but not more than twenty-two
17 thousand five hundred.

18 C. Powers and duties. The district, acting through its board of
19 commissioners, shall have the following powers and duties:

20 (1) To purchase or otherwise acquire, construct, reconstruct,
21 rehabilitate, improve, repair, operate, lease as lessor or lessee, manage, and
22 administer or enter into contracts for the management, administration, and
23 operation of a juvenile detention facility or facilities, shelter care facility or
24 facilities, or such other juvenile justice facilities as are useful, necessary,
25 expedient, or convenient to carry out the plans and purposes of the commission
26 and for the orderly conduct of its business. Such facilities may include but are
27 not limited to office facilities, parking facilities, diagnostic facilities, dormitories,
28 and other residential facilities for delinquent, neglected, or abused children or
29 children in need of care or supervision, as well as for employees, patrons,
30 visitors, and relatives of children who may enter the juvenile justice system or

1 who are in need of care or supervision. In addition, the district may lease,
2 purchase, or acquire by donation or otherwise, any property, immovable or
3 movable, corporeal or incorporeal, from any person, firm, or corporation,
4 including the state and its agencies and political subdivisions.

5 (2) To authorize and approve, upon such terms as it may deem advisable,
6 contracts of employment for a superintendent or administrator and other
7 necessary personnel and contracts for legal, financial, engineering, and other
8 professional services necessary or expedient for the conduct of its affairs.

9 (3) To sue and be sued.

10 (4) In the exercise of its powers to control, administer, and manage the
11 affairs of the district, to incur debt and issue bonds, and levy taxes pursuant to
12 Article VI, Sections 30 and 32, of the Constitution of Louisiana or any other
13 constitutional or statutory authority.

14 (5) To perform any function and exercise any power necessary, requisite,
15 or proper for the administration and management of the affairs of the district,
16 and it specifically may cooperate with juvenile courts and other courts and
17 public agencies within the area and aid and assist them in all ways authorized
18 by law to carry out the purposes and responsibilities for which it is established.

19 (6) In order to obtain the necessary funds to carry out its purposes,
20 duties, and responsibilities, and in order to acquire, construct, maintain, and
21 operate a juvenile facility or facilities and related services and programs
22 throughout the area, to incur debt and issue general obligation bonds within the
23 limitations prescribed by Article VI, Section 33, of the Constitution of Louisiana
24 and other applicable constitutional or statutory authority, but only when
25 authorized by a majority of the electors in the multi-jurisdictional parish area
26 who vote thereon in an election held for that purpose in accordance with laws
27 governing such elections.

28 Section 2. This Act shall become effective upon signature by the governor or, if not
29 signed by the governor, upon expiration of the time for bills to become law without signature
30 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____